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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2010 MAY 19 A 9:01

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

DOCKET NO. S-20660A-09-0107

RADICAL BUNNY, L.L.C., an Arizona limited liability company,

HORIZON PARTNERS, L.L.C., an Arizona limited liability company,

TOM HIRSCH (aka TOMAS N. HIRSCH) and DIANE ROSE HIRSCH, husband and wife,

BERTA FRIEDMAN WALDER (aka BUNNY WALDER), a married person,

HOWARD EVAN WALDER, a married person,

HARISH PANNALAL SHAH and MADHAVI H. SHAH, husband and wife,

Respondents.

Arizona Corporation Commission

DOCKETED

MAY 19 2010

DOCKETED BY

PROCEDURAL ORDER

BY THE COMMISSION:

On March 12, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing against Radical Bunny, L.L.C., Horizon Partners, L.L.C., Tom Hirsch (aka Tomas N. Hirsch), Berta Friedman Walder (aka Bunny Walder), Howard Evan Walder, Harish Pannalal Shah, and Madhavi H. Shah, in which the Division alleged multiple violations of the Arizona Securities Act in connection with the offer and sale of securities in the form of notes and investment contracts.

On March 26, 2009, a request for hearing was filed on behalf of Horizon Partners, L.L.C., Tom Hirsch, Diane Rose Hirsch, Berta Friedman Walder, Howard Evan Walder, Harish Pannalal Shah and Madhavi H. Shah ("Respondents").

On November 3, 2009, the procedural conference was held to discuss procedural issues,

1 including hearing dates. The Securities Division estimated that at least 25 days of hearing would be
2 required for this case. The parties were encouraged to engage in discussions to see whether a
3 settlement could be reached in this case, and it was agreed that a date for hearing should be
4 established.

5 On November 3, 2009, a Procedural Order was issued scheduling the hearing to commence on
6 March 8, 2010.

7 On February 8, 2010, Respondents filed a Motion for Continuance and a Stipulation and
8 Motion for Substitution of Counsel.

9 On February 10, 2010, the Division filed its Response to the Motion for Substitution of
10 Counsel and its Response to the Motion for Continuance.

11 On February 18, 2010, Respondents filed their Reply on the Motion for Continuance and also
12 filed another Stipulation and Motion for Substitution of Counsel.

13 On February 19, 2010, the Division filed its Response to Stipulation and Motion for
14 Substitution of Counsel, indicating no objection.

15 On February 26, 2010, by Procedural Order, the hearing was continued from March 8, 2010 to
16 June 2, 2010.

17 On April 28, 2010, the Commission issued Decision No. 71682, a Consent Order against
18 Respondent Radical Bunny, L.L.C., an Arizona limited liability company.

19 On April 30, 2010, a Motion of Summary Judgment or to Dismiss (Oral Argument
20 Requested) ("Motion"); a Statement of Facts; and a Declaration of Tom Hirsch were filed on behalf
21 of the Respondents.

22 On May 10, 2010, the Division filed its Response to the Motion.

23 Accordingly, oral argument on the Motion shall be held.

24 IT IS THEREFORE ORDERED that oral argument shall be held during the Procedural
25 Conference on **May 25, 2010, at 10:00 a.m.**, or as soon thereafter as is practicable at the
26 Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix, Arizona.

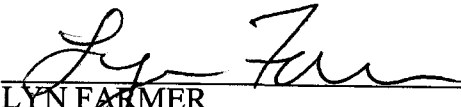
27 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
28 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the

Rules of the Arizona Supreme Court). Representation before the Commission includes appearances at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or the Commission.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) continues to apply to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 19th day of May, 2010.


LYN FARMER
CHIEF ADMINISTRATIVE LAW JUDGE


Copies of the foregoing mailed/delivered
this 19th day of May, 2010 to:

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